IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.W.P. No. 18316 of 2006

Date of Decision: November 21, 2006

Dharambir Singh

…..Petitioner

Vs.

State of Haryana and others

…..Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR.

HON'BLE MR. JUSTICE M.M.S. BEDI.

Present:- Mr. Pritam Saini, Advocate
for the petitioner.

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M.M. KUMAR. J. (ORAL)

The petitioner claims to have applied for the post of S.S. Teacher under categories of Physically Handicapped Ex-servicemen (General) and Physically handicapped (General). The result was declared by the Haryana Staff Selection Commission- respondent No.3 on October 9, 2004 and the roll number of the petitioner was shown in the general category without mentioning his roll number under the reserve category of physically handicapped or physically handicapped ex-servicemen. The

petitioner made representations on October 26, 2004 and September 3, 2005. An intimation was received by him from the office of respondent No.3 that he had obtained 86 marks out of 200 marks. On March 8, 2006, he again made a representation which was responded to by the respondents stating that the petitioner had applied in general category and obtained 86 marks out of 200 marks against 112 marks of the last candidate who was short-listed in that category. Therefore, the petitioner was not called for viva voce. He felt again contented by making a representation on April 13, 2006. Similar reply was sent by respondent No.3 again on April 25, 2006. The petitioner thereafter sent a legal notice on September 4, 2006 (P-9).

We have heard learned counsel at some length and find that there is no merit in the petition because the cause of action, if any, arose to the petitioner on October 9, 2004 when his result was declared and his name was shown in general category as against the claim made by the petitioner that he had applied in the reserved category of physically handicapped ex-servicemen or physically handicapped category. He felt contented by making representations after representations which eventually culminated in sending of a legal notice. The life of a select list according to the instructions No. 42/43/84-5GSI issued by the Chief Secretary to Government Haryana on January 20, 1988 is one year and the select list lapses after one year. In other words, any appointment on the basis of the select list could have been made within one year or any correction could have been ordered within that period. Therefore, no direction to the respondents could be issued either to include the name of the petitioner by

considering him in the reserve category of physically handicapped ex-servicemen (general) / physically handicapped (general). Therefore, there is no merit in this petition.

Dismissed.

(M.M.KUMAR)
JUDGE

November 21, 2006
sanjay

(M.M.S.BEDI)
JUDGE